

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

In re BAYCOL PRODUCTS LITIGATION

MDL NO. 1431
(MJD/SRN)

This Document Relates to:

ORDER

Lowell Roper, et al., v. Bayer Corp., et al.
(Plaintiff Shirley Johnson only)

Case No. 03-3140

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated May 10, 2007. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendant Bayer Corporation's Motion for Discovery Sanctions against Plaintiff Shirley Johnson [Doc. No. 126] is GRANTED;
2. Plaintiff Shirley Johnson's action is DISMISSED WITH PREJUDICE; and
3. Plaintiff's counsel is required to pay the sum of \$174.00 to Bayer Corporation within 10 days of the District Court's Order should the District Court adopt this Report and Recommendation.

DATED: June 12, 2007.

s / Michael J. Davis
Judge Michael J. Davis
United States District Court Judge